

Extracts from the Agenda of the 144th Meeting of the Executive Committee (EC) of BIS
held on Thursday, 05 December 2019

Item 19. PROVIDING INDIAN STANDARDS FREE OF COST

19.1 The Bureau of Indian Standards Act, 2016 mandates that the standards established by the Bureau shall be the Indian Standards. Rule 25 of the Bureau of Indian Standards Rules, 2018, states that the Indian Standards established by the Bureau, their revisions and amendments shall be published and copies thereof, in any form as may be determined by the Bureau, shall be made available for sale at such prices as may be determined by the Bureau.

19.2 BIS has formulated more than 20,000 standards and these standards are priced publications and are being sold through BIS Offices, as well as various agencies. The sale of standards is also being done online.

19.3 BIS has presently made the standards covered under mandatory certification, accessible free of cost, in the read-only format for all.

19.4 Further, a suggestion has been received from MoCA and FC to provide downloadable versions of all Indian Standards free of cost, to encourage 'Ease of Doing Business', as well as to promote the use of Indian Standards.

19.5 In view of the above, the financial implications of providing Indian Standards free of cost was assessed and the relevant statements including Cost Sheet are provided at (**Annex 29**, pages 153 - 155). As can be seen from the (**Annex 29**, pages 153 - 155), over the years there is loss in the Sales activities, if retrocession from ISO/IEC is not taken into account as Income of Sales.

19.6 In this context, it may be relevant to mention that out of more than 20,000 standards published by BIS around 6,000 standards are adoption of international standards, namely, ISO & IEC. As per the POCOSA 2017 guidelines, issued by ISO, the copyright of such adopted ISO & IEC standards are retained with the respective international standards bodies and cannot be sold free of cost. Relevant extracts from POCOSA 2017 are enclosed as (**Annex 30**, pages 156).

19.7 In view of the above, it is proposed that all the Indian Standards, except those adopted from other international standards bodies, may be made available online in downloadable version, free of cost, to the users, for non-commercial purposes. However, the adopted standards from other Standards Developing Organizations and all other Indian Standards intended to be used for commercial purposes may continue to be made available for a price as per existing guidelines.

19.8 The Executive Committee may kindly consider.

COMPARATIVESTATEMENT (COST SHEET OF SALES ACTIVITY AND ACHIEVEMENT FROM SALES)				
(Rs. In Lakhs)				
	2015-16	2016-17	2017-18	2018-19
COST SHEET OF SALES ACTIVITIES (A) (Salary+Pension+Overheads+Apportionment)	969.91	1023.124	1455.75	1333.18
INCOME THROUGH SALES OF STANDARDS (B)	627.94	660.94	985.52	914.35
RETROCESSION FROM SALE OF FOREIGN STANDARDS ISO & IEC (C)	476.75	554.84	495.70	649.57
ACHIEVEMENT OF SALE OF STANDARDS (B + C)	1104.69	1215.78	1481.22	1563.92
Net Income- = ----->	134.78	192.66	25.47	230.74
Net Income without Retrocession--->	-341.97	-362.18	-470.23	-418.83

COMPARATIVE STATEMENT (COST SHEET OF SALES ACTIVITY AND ACHIEVEMENT FROM SALES)				
	(Rs. In Lakhs)			
	2015-16	2016-17	2017-18	2018-19
COST OF SALES ACTIVITIES (A) (Salary + pension + overheads)	359.51	580.49	824.35	849.34
INCOME THROUGH SALES OF STANDARDS (B)	627.94	660.94	985.52	914.35
RETROCESSION FROM SALE OF FOREIGN STANDARDS ISO & IEC (C)	476.75	554.84	495.70	649.57
ACHIEVEMENT OF SALE OF STANDARDS (B + C)	1104.69	1215.78	1481.22	1563.92
Net Income- = ----->	745.18	635.29	656.87	714.58
Net Income without Retrocession--->	268.43	80.45	161.17	65.01

COST SHEET OF SALES ACTIVITY

Particulars	Cost of 2015-16	Cost of 2016-17	Cost of 2017-18	Cost of 2018-19
Pay & Allowances	196,44,262	363,57,121	582,20,359	524,48,299
Employer Contribution to NPS	42,23,605	6,92,398	12,52,300	11,55,072
Total (A) - Salary & Pension	238,67,867	370,49,519	594,72,659	536,03,371
Directly attributed Overheads	26,47,364	81,20,972	50,42,799	88,28,049
Allocation of RO/BO balance Overheads	20,39,538	32,20,537	57,31,697	47,73,766
Allocation of Depreciation	16,53,576	9,68,641	9,09,570	9,25,653
Allocation of balance Overheads (HQ)	57,42,940	86,89,745	112,77,832	168,03,583
Total (B) - Overheads	120,83,418	209,99,895	229,61,898	313,31,051
Total (A) + (B)	359,51,285	580,49,414	824,34,557	849,34,422
Apportionment of A&F Cost	181,65,000	88,50,000	179,90,000	81,79,200
Apportionment of Standard Formulation Cost	428,75,000	354,13,000	451,50,000	402,04,200
Total (C) - Apportionment	610,40,000	442,63,000	631,40,000	483,83,400
Total (A)+(B)+(C)	969,91,285	1023,12,414	1455,74,557	1333,17,822

Relevant Extracts of POCOSA 2017

business model. Distribution of ISO Publications and National Adoptions is primarily the task of ISO Members in their own National Territories and of the ISO Central Secretariat in a National Territory where there is no ISO Member, or where the ISO Member agrees they are not able or authorized to distribute ISO Publications effectively.

The work and contributions by ISO and ISO Members result in ISO Publications and National Adoptions that contain intellectual property of demonstrable economic value. ISO's funds derive primarily from the dues and contributions of the ISO Members and from the sale of ISO Publications and services, in accordance with the ISO Statutes and Rules of Procedure. Moreover, while the exploitation rights defined in Clause 5.1 are not important to the funding of some ISO Members, they are vital to other ISO Members, including Members that contribute significantly to the development of ISO Standards. It is therefore critical that the ISO business model supports the standardization process and the development of standards at both international and national levels.

For this reason, the ISO Central Secretariat, ISO Members and Third-Party Distributors have an obligation to protect the value of ISO Publications and National Adoptions. In particular, ISO Publications and National Adoptions, or parts of them, must not be made available to End Users free of charge, other than for the purposes of further standards development as explained in Annex 3, unless it is explicitly authorized by ISO Council.

ISO Members have a responsibility to continuously promote the understanding of the value of standards, their economic and social importance, the costs of their development and maintenance, and the crucial role of the exploitation of ISO copyright to the ISO system as a whole, to their national governments and to other national stakeholders. The ISO Central Secretariat will assist members by providing regular information and data, together with promotional and explanatory material, for adaptation and use by ISO Members in their National Territories.

3.2. Governing Laws and Settling Disputes

Except as otherwise agreed, the laws of Switzerland govern all matters between ISO Members and ISO concerning POCOSA.

Except as provided in Section 6.2.b) below, any dispute between two or more ISO Members concerning this Policy, must be referred to the ISO Central Secretariat, who will work with them to try to reach a settlement. If the dispute is not settled at that stage, it will be referred to third-party mediation and then third-party arbitration. The parties involved in the dispute must at all times and in good faith make all reasonable effort to reach a mutually acceptable settlement. The ISO Council may sanction any ISO Member in violation of this Policy and these sanctions might ultimately result in exclusion from ISO and the loss of all rights to exploit ISO copyright, in accordance with Clause 5.1 below.

4. Protecting ISO's Copyright and Trademarks

4.1. Objectives

ISO Publications and their National Adoptions are works constituting individuality and originality, and are therefore copyright-protected under the law of Switzerland, which is the country of origin of the works.

This protection of copyright is fundamental. It allows ISO Members and ISO to ensure the proper use of ISO Publications and their National Adoptions, so that their integrity is not compromised and their authority not weakened. It also ensures that income can be derived from their distribution and sale in order to help fund their maintenance and further development. For the same reason, ISO's Code of Ethics states that ISO and all its Members must in good faith make all reasonable efforts and take all appropriate actions to ensure the proper use of the ISO name, trademarks and logo and prevent unauthorized reproduction or distribution of ISO intellectual property in their countries.

**BUREAU OF INDIAN STANDARDS
(Bureau Secretariat)**

***Extract from the Proceedings of 144th Meeting
of the Executive Committee held on 05 December 2019***

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19. PROVIDING INDIAN STANDARDS FREE OF COST - Having considered item 19 of the Agenda, EC approved the proposal as given in the Agenda.


[Lt Col (Retd.) Kumar Shantanu]
Secretary